

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS  
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 10/30/2012	(3) CONTACT/PHONE Stephanie Fuhs, Planner III/(805) 781-5721	
(4) SUBJECT A request for the Board of Supervisors to authorize the use of Alternative Publication Procedures for amendments to the San Luis Obispo County General Plan, Title 22 of the County Code, and the Coastal Zone Land Use Ordinance, Title 23 of the County Code. Supervisorial Districts: All.			
(5) RECOMMENDED ACTION That the Board of Supervisors: 1. Authorize that the display advertisement of one-quarter page that was published in a newspaper of general circulation in the county on or before November 2, 2012, indicating the general nature of the proposed General Plan and Ordinance Amendments that will be considered on November 13 and December 4 and 18, 2012, can act as the alternative publication.  2. Authorize a one-quarter page display advertisement be placed in a newspaper of general circulation within 15 days after adoption of the proposed amendments by your Board.			
(6) FUNDING SOURCE(S) Current Budget	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Board Business (Time Est. _____)			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input checked="" type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP  N/A	(15) BUSINESS IMPACT STATEMENT?  No	(16) AGENDA ITEM HISTORY  <input checked="" type="checkbox"/> N/A Date _____	
(17) ADMINISTRATIVE OFFICE REVIEW  Reviewed by Leslie Brown			
(18) SUPERVISOR DISTRICT(S) All Districts			

## County of San Luis Obispo



TO: Board of Supervisors

FROM: Planning and Building / Stephanie Fuhs, Planner III

VIA: Kami Griffin, Assistant Director, Planning and Building Department

DATE: 10/30/2012

SUBJECT: A request for the Board of Supervisors to authorize the use of Alternative Publication Procedures for amendments to the San Luis Obispo County General Plan, Title 22 of the County Code, and the Coastal Zone Land Use Ordinance, Title 23 of the County Code.  
Supervisory Districts: All.

### **RECOMMENDATION**

That the Board of Supervisors:

1. Authorize that the display advertisement of one-quarter page that was published in a newspaper of general circulation in the county on or before November 2, 2012, indicating the general nature of the proposed General Plan and Ordinance Amendments that will be considered on November 13 and December 4 and 18, 2012, can act as the alternative publication.
2. Authorize a one-quarter page display advertisement be placed in a newspaper of general circulation within 15 days after adoption of the proposed amendments by your Board.

### **DISCUSSION**

On November 13, 2012, your Board will hold a public hearing for the following amendment:

1. Hearing to consider a request by the COUNTY OF SAN LUIS OBISPO to amend Title 22 (the Land Use Ordinance) and Title 23 (the Coastal Zone Land Use Ordinance) of the County Code regarding agricultural cluster land divisions to a) revise Land Use Ordinance Sections 22.22.150 (Agricultural Lands Clustering), 22.22.152 (Major Agricultural Cluster) and 22.22.154 (Minor Agricultural Cluster) and b) add Coastal Zone Land Use Ordinance Section 23.04.037 to allow Agricultural Lands Clustering in the Coastal Zone. This request also includes amending Agriculture Element Policies AGP 5, 20, 22 and 23 and the San Luis Obispo Area Plan to make these policies and plans consistent with the proposed new Agricultural Lands Clustering provisions. The primary changes to Title 22 include but are not limited to: deleting the density bonus, requiring a hydrogeologic report, establishing mandatory findings for adequate water supply, eliminating the distinction between major and minor agricultural cluster projects, revising the eligibility criteria so that agricultural cluster projects must be located within two miles from specified Urban Reserve Lines, increasing the minimum parcel size of clustered residential parcels from 10,000 square feet to 2.5 acres, and requiring clustered lots to be contiguous and form a single cluster of lots. The proposed revision to Title 23 will allow agricultural lands clustering based only on existing lots, without creating new lots. The proposed amendments to Titles 22 and 23 would affect land in the Agriculture land use category.

County File Number: **LRP2008-00010**  
Supervisory Districts: All.

APN(s): countywide  
Date Authorized: July 17, 2009

On December 4, 2012, your Board will hold a public hearing for the following amendment:

1. Hearing regarding a request by the COUNTY OF SAN LUIS OBISPO for amendments to the County's inclusionary housing ordinance, specifically Land Use Ordinance Section 22.12.080 and Coastal Zone Land Use Ordinance Section 23.04.096. The proposed ordinance amendments would not cause substantial changes to the ordinance, but instead would clarify the existing ordinance. These ordinance amendments affect all planning areas of the county that are outside of the jurisdictions of the incorporated cities.

County File No: **LRP2006-00003**

Supervisory District: All

On December 18, 2012, your Board will hold a public hearing and take final action on all items previously given tentative approval.

The California Government Code, Section 25124, establishes specific publication requirements for ordinance amendments. Your Board can order that a display advertisement be published in a newspaper of general circulation in the county prior to the public hearing and that a display ad be placed in a newspaper of general circulation following action on the amendments.

### **Staff Comments**

The California Government Code establishes specific publication requirements for ordinance amendments, and offers two cost-saving alternatives to publishing the complete text of an adopted ordinance after its passage (which has historically been the most commonly-used method). The alternatives include either publishing a summary of the proposed amendments; or, where the official responsible for the ordinance determines that a summary would not be effective, and with the consent of your Board, a simple display ad can be published in a local newspaper noting passage of the ordinance, where it can be obtained, and how your Board voted on its adoption.

Therefore, in accordance with Section 25124 of the California Government Code, we are requesting that your Board order that a display advertisement of a one-quarter page be published in a newspaper of general circulation in the county, indicating the general nature of the proposed Land Use Ordinance amendments to be considered. In addition, it is requested that your Board direct that a one-quarter page display advertisement be placed in a newspaper of general circulation within 15 days after adoption of the proposed amendments.

Because publication of a display advertisement would cost substantially less than the full text of the adopted amendments, and because the diversity of topics covered in the amendments does not enable a meaningful summary, your favorable consideration on this matter is appreciated.

### **OTHER AGENCY INVOLVEMENT/IMPACT**

Applicable agencies and Community Advisory Committees were provided referrals of the amendments.

### **FINANCIAL CONSIDERATIONS**

Reproducing the complete text of all of the amendments contained in this Ordinance Amendment would cost approximately 50 percent more than the cost of two quarter-page display ads.

### **RESULTS**

Advertising of the amendments will allow public hearings to occur in conformance with the Government Code and will cost substantially less than publishing the full text of the adopted amendments.